IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Wood Jr.
Application No.	:	09/502,986
Filing Date	:	02/11/2000
For	:	Personal Financial Management System, Method and Program Using A Graphical Object-Oriented Programming Methodology
Group Art Unit	:	2164
Examiner	:	Akers, G
Attorney Docket No.	:	800381

Honorable Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

APPLICANT'S RESPONSE UNDER 37 CFR 1.193(b)(2)(ii)
REINSTATEMENT REQUEST

Dear Sir:

This response is in reply to the Office Action having a mail date of March 8, 2002, wherein the Office reopened prosecution. Applicant requests reinstatement of the Appeal filed on January 14, 2002 and the Appeal Brief filed on February 22, 2002. The following Supplemental Appeal Brief is submitted in conjunction with Applicant's Reinstatement Request and the Office Action having a mail date of March 8, 2002. Applicant requests that the Appeal Brief filed on February 22, 2002 be incorporated herein by reference, including Appendix A, Claims on Appeal. The following Supplemental Appeal Brief presents

arguments in rebuttal to the Office Action of March 8, 2002 wherein the Office rejected all pending claims 1-42 of the subject application 09/502,986.

REAL PARTY IN INTEREST

Applicant is the real party in interest.

RELATED APPEALS AND INTERFERENCES

Other than the originally Appeal filed on January 14, 2002, no other appeals or interferences are pending which would affect, or be affected by, or have bearing on the Board's decision.

STATUS OF CLAIMS

Regarding the Office Action of March 8, 2002, Claims 1-42 stand rejected by the Office under 35 U.S.C. § 103 (a). Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 stand rejected by the Office under 35 U.S.C. § 103 (a) as being unpatentable over Grunbok et al. (U.S. Patent No. 6,305,603) in view of Maggioncalda et al. (U.S. Patent No. 5,918,217). Claims 3, 5-8, and 20 stand rejected under 35 U.S.C. 103(a) as unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S. Patent No. 6,014,643) and further in view of Grunbok et al. (U.S. Patent No. 6,305,603). Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643).

The rejections of claims 1-42 are under appeal.

STATUS OF AMENDMENTS

This section in incorporated by reference from Applicant's Appeal Brief filed on February 22, 2002. This Reinstatement Request has added no new amendments.

SUMMARY OF INVENTION

This section in incorporated by reference from Applicant's Appeal Brief filed on February 22, 2002.

ISSUES ON APPEAL

The following issues are presented for review in this Supplemental Appeal Brief:

Issue 1: Whether Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 are unpatentable under 35 U.S.C. § 103 (a) over Grunbok et al. (U.S. Patent No. 6,305,603) in view of Maggioncalda et al. (U.S. Patent No. 5,918,217);

Issue 2: Whether Claims 3, 5-8, and 20 are unpatentable under 35 U.S.C. 103(a) over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S. Patent No. 6,014,643) and further in view of Grunbok et al. (U.S. Patent No. 6,305,603); and

Issue 3: Whether Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 are unpatentable under 35 U.S.C. 103(a) over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643).

GROUPING OF CLAIMS

For each ground of rejection which Appellant contests herein which applies to more than one claim, such additional claims, to the extent separately identified and argued below, do not stand or fall together.

ARGUMENTS

General Discussion of the Lack of Establishment of a *Prima Facie* Case of Obviousness Applicable to All Claim Rejections under 35 U.S.C. Section 103(a)

The Office bears the initial burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). *If the examination of a patent application at the initial stage does not produce a prima facie case of unpatentability, then without more the applicant is entitled to grant of the patent.* See *In re Oetiker*, 24 U.S.P.Q. 2d 1443 (Fed Cir. 1992). As more fully set forth below, the Office has failed to meet its burden of establishing a *prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 1-42. Therefore, these claims are patentable.

There are many distinguishing differences between Applicant's invention and the references of Grunbok, Maggioncalda, Minton and Leon cited by the Office. As described and claimed in Applicant's specification, the present invention claims a personal financial management software program for recording, predicting, and comparing financial data comprising a graphical user interface, a current activity tool, a planning analysis tool and a budgeting analysis tool. None of these elements are found in any of the cited references. The financial data includes account class objects, transaction class objects, category class objects and template class objects. None of these elements are found in the cited references. Grunbok

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discloses the use of a personal digital assistant (PDA) for accessing at least two financial accounts at one or more financial institutions, and for performing a financial transaction at a store in communication with a financial institution. Maggioncalda discloses a financial analysis system for exploring how variables of risk, savings and retirement age affect a recommended set of financial investment products. The user of the Maggioncalda invention enters values representing risk, savings rate, and retirement age to obtain a displayed set of financial investment products that were selected by the system, along with an estimated forecast of success as determined by the system. Minton discloses a method for trading securities between individuals through offers, acceptances, and execution of trades over a public communication network. Leon discloses a method of managing deposit and loan accounts within a financial institution by adjusting the amount in each deposit and loan account as a function of inflation, and transferring payments accordingly. None of these references cited by the Office suggest or disclose the elements of Applicant's claimed invention.

A further distinction between the Applicant's invention and the prior art of Grunbok, Maggioncalda and Minton cited by the Office is that the cited references operate on a network connected to servers while the Applicant's invention operates on a network independent and server independent, host-based computer. Furthermore, the cited reference of Leon is a commercial software program used by large financial institutions, not a personal financial management software program tailored to an individual user.

Another distinction between Applicant's invention and the Maggioncalda disclosure is that Maggioncalda relies on statistics and probability distributions to achieve a result. The only disclosed result in Maggioncalda is a selection of financial investment products and an

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estimated probability of success of a user achieving a financial goal. There is no such predictive capability disclosed in the present invention, which merely relies on comparisons of actual performance with user a user-determined projection of future activity, which is not disclosed in Maggioncalda. There is no disclosure in Maggioncalda of past, current and future user-determined cash flow simulations between accounts and categories through the use of transactions.

In an obviousness analysis, any suggestion to combine references must not require substantial reconstruction or redesign of the references to arrive at the claimed invention. Applicant disputes that the Office has shown a suggestion or reason to combine. Moreover, even if the Grunbok, Maggioncalda, Minton and Leon references cited by the Office were combined, the combination would require a substantial reconstruction and redesign of the elements shown in the references as well as a change in the basic principles under which the references were designed to operate. In addition, the combination does not equal Applicant's invention since the references do not include all the claim limitations and benefits, such as a graphical user interface for creating, manipulating and displaying objects of object-oriented software programs, a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, and a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. Nor · do the references include the objects comprising account objects, transaction objects, category objects, and template objects, along with other claim limitations as discussed in detail below.

It should also be noted that Maggioncalda teaches away from Applicant's invention. As described in column 18, lines 49 - 52 of the Maggioncalda disclosure, "Advantageously,

using this interactive approach, the user is never asked to predict the future with regard to interest rates, inflation, expected portfolio returns, or other difficult to estimate economic variables and parameters." In contradiction with Maggioncalda, FIG.4 of Applicant's disclosure provides for the user entering system defaults, which include annual inflation rate, investment return rate, life expectancy, etc.

Issue 1: Whether Claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 are unpatentable under 35 U.S.C. § 103 (a) over Grunbok et al. (U.S. Patent No. 6,305,603) in view of Maggioncalda et al. (U.S. Patent No. 5,918,217).

The Office has failed to meet its burden of establishing a *prima facie* case of obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 as being obvious over Grunbok in view of Maggioncalda et al. The Office bears the initial burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785, 788 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP §2142 and § 2143. It is shown below that the Office has not met these criteria for establishing a *prima facie* case of obviousness because a

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suggestion to modify or combine the references has not been cited, there is not an expectation of success if the references were modified or combined, and even if they were modified or combined, they do not teach or suggest Applicant's invention.

Grunbok teaches a method of accessing financial accounts at a financial institution using a PDA to update PDA information regarding the accounts and to perform financial transactions. The method also discloses the capability of communicating with a store computer, which in turn communicates with a financial institution computer for executing financial transactions. The method discloses use of a PDA as a "smart" portable computer for accessing financial account information and executing transactions with a store and financial institutions. Unlike Applicant's "stand-alone" program and method, the Grunbok method requires communication over a network with either a store computer or a financial institution computer. There is no disclosure in Grunbok of a personal financial management software program, as disclosed by Applicant. Maggioncalda teaches a method for allowing a user to explore how changes in one or more input decisions affect one or more output values in a financial analysis system. The method applies to interactively displaying a group of financial investment products selected by the system, such as bond or stock funds, and a probability of reaching an investment goal based on user input decision of risk, savings rate and retirement age. The system makes use of probability distribution functions to predict the probability of a user obtaining the investment goal by obtaining data from servers over a network. Maggioncalda's patent is only applicable to selecting a group of investments based on user inputs of risk, savings rate and retirement age. In contrast, and as claimed in Applicant's invention, Applicant's method and program enable a user to record past and current transactions involving cash flows between accounts and categories, such as between bank

accounts and clothing or utility category expenditures. Applicant's invention also enables a user to allocate anticipated future expenditures, such as the purchase of a home or a new automobile, and compare actual versus anticipated expenditures over time. Applicant's invention enables a user to manage all personal financial transactions, not just provide an investment portfolio recommendation based on risk, savings rate and retirement age as in Maggioncalda. Unlike Maggioncalda's invention, Applicant's invention is network and server independent. Maggioncalda does not disclose the capability of entering past financial transactions, such as found in a checkbook register, or budgeting for anticipated future expenditures over time. The Maggioncalda invention does not disclose use of object-oriented techniques, nor does it enable a user to define new accounts, categories, transactions, or templates.

First, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to point out any suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to arrive at Applicant's invention.

Second, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to show a reasonable expectation of success by modifying the reference or by combining the reference teachings. There is no expectation of success that Grunbok combined with Maggioncalda is able to meet all the limitations disclosed in Applicant's invention. The disclosure of Grunbok and Maggioncalda, requiring networks and servers is not capable of satisfying the features and functions disclosed in Applicant's invention.

Finally, with regard to the rejection of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42, the Office has failed to cite references that teach or suggest all the claim limitations of Applicant's invention. Applicant has reviewed the new grounds for rejection in the Office Action mailed on March 8, 2002 and the references cited therein and has discussed each point within this response. The cited references of Grunbok in view of Maggioncalda neither teach nor suggest a personal financial management software program for recording, predicting, and comparing financial data. The reference does not teach all the claim limitation of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42. As just one example, nowhere does the cited references of Grunbok in view of Maggioncalda teach a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, or a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. The Applicant therefore believes that the Office has not established a *prima facie* case of obviousness. Despite Applicant's prior diligent response, the Office has failed to point out in the cited reference where the claim limitations discussed herein may be found. Therefore, all claims distinguish over the cited reference. All of the dependent claims incorporate the limitations of their respective independent claims and provide further unique and non-obvious recitations. These claims are therefore patentable over the cited references for the reasons given in support of claims 1, 18, 31 and 34.

With respect to specific claims, independent claim 1 as amended teaches a personal financial management software program for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-

oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has rejected claim 1 citing various excerpts from Grunbok and Maggioncalda that amount to substantial reconstructions with unsubstantiated additions. For example, there is no teaching by Grunbok of a personal financial management tool for recording and comparing financial data. There is no teaching in Maggioncalda of (1) "a graphical user interface (col 2 lines 32-34) and predicting financial data as well as for creating, manipulating and displaying objects of object-oriented software programs and a current activity tool..." This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial Advisory System of a user interface for creating, manipulating and displaying objects of object-oriented software programs. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states "A user interface for a financial advisory system is described", it does not disclose a user interface for manipulating and displaying objects of object-oriented software programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 1, the Office asserts that (2) Maggioncalda teaches "and a current activity tool comprising objects for entering data from current financial

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transactions for recording purposes (col 2 lines 36-41)..." The Office's analysis here is flawed. Applicant is unable to find any reference (actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much less a disclosure of a current activity tool comprising objects for entering data from current financial transactions for recording purposes. The passage cited by the Office (col 2 lines 36-41) merely states that "a first and second visual indication are concurrently displayed" and that "The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products." This element of claim 1 is nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 1 further, the Office asserts that Maggioncalda teaches (3) "and a planning analysis tool comprising objects for entering projected financial data for financial activity simulation (col 2 lines 44-47)..." This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation. The passage cited by the Office (col 2 lines 44-47) merely states that "After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values." Being unable to find disclosure of any elements of claim 1 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as "a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation". In further rejecting claim 1, the office asserts that Grunbok teaches a budgeting analysis tool. There is no teaching in Grunbok of "a budgeting analysis tool comprising objects for

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comparing current financial data with projected financial data." Like the assertions by the Office discussed above, this assertion is also flawed. Applicant cannot find any disclosure in the cited Grunbok reference of a budgeting analysis tool, much less a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. It should also be noted that the amended element of claim 1 (once amended) includes "objects comprising account objects, transaction objects, category objects, and template objects." This element of claim 1 further distinguishes claim 1 from the disclosure of Grunbok and Maggioncalda, since none of these objects are disclosed in Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the "motivation for combination is to teach a financial advisory system for individuals for present decision making for future results and an evaluation of the associated risks..." The Office misunderstands Applicants invention. Applicant's specification neither describes nor claims a financial advisory system. As described above and in Applicant's specification, claim 1 encompasses a personal financial management program with a graphical user interface and a set of software tools for entering data from current financial transactions, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Grunbok or Maggioncalda and the present invention contains no disclosure for selecting financial investment products or

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accessing financial accounts of a financial institution or store. Therefore, claim 1 as amended is nonobvious and patentable over Grunbok in view of Maggioncalda.

Regarding claim 9, since claim 9 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 9 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda that could be interpreted as "comprising system interface objects to accept user preference defaults for use by the program tools."

Regarding claim 11, since claim 11 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 11 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Maggioncalda or Grunbok that could be interpreted as "comprising a to-do list displayed in the current activity tool for enabling the planning analysis tool to prompt the user to implement projected financial activity."

Regarding claim 12, since claim 12 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 12 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "comprising account data from other financial programs imported into account objects."

Regarding claim 15, since claim 15 is dependent on claim 1, and claim 1 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim

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15 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein the planning analysis tool comprises a financial activity simulation of all objects created by the user, the simulation modeling all financial activity from the earliest past date to the latest future date entered."

Regarding claim 16, since claim 16 is dependent on claims 1 and 15, and claims 1 and 15 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 16 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein the financial activity simulation identifies and graphically depicts discrepancies and shortfalls in the modeled transactions."

Regarding claim 17, since claim 17 is dependent on claims 1 and 15, and claims 1 and 15 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 17 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein the financial activity simulation is adjusted to eliminate discrepancies and shortfalls, and to provide a more accurate fit with actual financial activity."

With respect to independent claim 18 as amended, claim 18 teaches a method for recording, predicting, and comparing financial data that includes creating, manipulating, and displaying objects of object-oriented software programs by a graphical user interface, entering data from current financial transactions for recording purposes using objects of a current

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activity tool, entering projected financial data for simulating financial activity using objects of

a planning analysis tool, comparing current financial data with projected financial data using

objects of a budgeting analysis tool, and using account objects, transaction objects, category

objects, and template objects. The Office has rejected claim 18 citing that Maggioncalda

teaches (1) "a method for recording, predicting and comparing financial data using a personal

financial management software program, comprising creating, manipulating and displaying

objects of object-oriented software programs by a graphical user interface (col 2 lines 32-

34)..." This assertion by the Office is incorrect. First, Maggioncalda discloses a User

Interface for a Financial Advisory System, not a Personal Financial Management System. The

user interface disclosed in the Financial Advisory System allows a user to input values

representing risk, savings rate and retirement age using slider bars, and to view outputs

comprising a forecast of success and a recommended set of financial investment products.

There is no disclosure in the Financial Advisory System for creating, manipulating and

displaying objects of object-oriented software programs by a graphical user interface.

Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states "A user

interface for a financial advisory system is described", it does not disclose a user interface for

manipulating and displaying objects of object-oriented software programs, and particularly

account objects, category objects, transaction objects and template objects. In further rejecting

claim 18, the Office asserts that Maggioncalda teaches (2) "and entering data from current

financial transactions for recording purposes using objects of a current activity tool (col 2

lines 36-41)..." The Office's analysis here is flawed. Applicant is unable to find any reference

(actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much

less a disclosure of entering data from current financial transactions for recording purposes

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using objects of a current activity tool. The passage cited by the Office (col 2 lines 36-41) merely states that "a first and second visual indication are concurrently displayed" and that "The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products." This element of claim 18 is nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 18 further, the Office asserts that Maggioncalda teaches (3) "and entering projected financial data for financial activity simulation using objects of a planning analysis tool (col 2 lines 44-47)..." This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation. The passage cited by the Office (col 2 lines 44-47) merely states that "After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values." Being unable to find disclosure of any elements of claim 18 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as "entering projected financial data for simulating financial activity using objects of a planning analysis tool". In further rejecting claim 18, the office asserts that Maggioncalda teaches (4) "and comparing current financial data with projected financial data using objects of a budgeting analysis tool (col 2 lines 47 - col 3 lines 42)(Fig 7a)." Like the assertions by the Office discussed above, this assertion is also flawed. This passage cited by the Office is a very general description of decisions relevant to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution,

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and recommended allocation of wealth among an available set of financial products. Applicant cannot find any disclosure in the cited Maggioncalda reference of a budgeting analysis tool, much less comparing current financial data with projected financial data using objects of a budgeting analysis tool. It should also be noted that the amended element of claim 18 (once amended) includes "using account objects, transaction objects, category objects, and template objects." This element of claim 18 further distinguishes claim 18 from the disclosure of Grunbok and Maggioncalda, since none of these objects are disclosed in either Grunbok or Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the motivation for this is to present simulations of projected financial data utilizing different financial products. The Office misunderstands Applicants invention. Applicant's specification neither describes nor claims a method or system for selecting or recommending a set of financial products. As described above and in Applicant's specification, claim 18 encompasses a personal financial management method that comprises entering data from current financial transactions using a graphical user interface and a set of software tools, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Grunbok in view of Maggioncalda and the present invention contains no disclosure for selecting financial investment products.

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Therefore, claim 18 as amended is nonobvious and patentable over Grunbok in view of Maggioncalda.

Regarding claim 21, since claim 21 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 21 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "accepting user preference defaults by system interface objects for use by the program tools."

Regarding claim 23, since claim 23 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 23 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "enabling the planning analysis tool to prompt the user to implement projected financial activity by a to-do list displayed in the current activity tool."

Regarding claim 24, since claim 24 is dependent on claims 18 and 19, and claims 18 and 19 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 24 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "importing account data from other financial programs into account objects."

Regarding claim 26, since claim 26 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim

26 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "enabling the user to create and incorporate custom objects into the personal financial management software program."

Regarding claim 27, since claim 27 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 27 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein simulating financial activity comprises simulating financial activity of all objects created by the user from the earliest entered date to the latest future date entered."

Regarding claim 28, since claim 28 is dependent on claims 18 and 27, and claims 18 and 27 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 28 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein simulating financial activity further comprises identifying and graphically depicting discrepancies and shortfalls in the simulated transactions."

Regarding claim 29, since claim 29 is dependent on claims 18 and 27, and claims 18 and 27 have been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 29 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein

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simulating financial activity further comprises adjusting objects to eliminate discrepancies and shortfalls, and providing a more accurate fit with actual financial activity."

Regarding claim 30, since claim 30 is dependent on claim 18, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 30 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "A computer software program on a computer-readable medium incorporating the method recited in claim 18."

With respect to independent claim 34 as amended, claim 34 teaches a personal financial management system for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. The Office has rejected claim 34 citing that Maggioncalda teaches (1) "a personal financial management software program for recording, predicting and comparing financial data, comprising: a graphical user interface (col 2 lines 32-34) for creating, manipulating and displaying objects of object-oriented software programs..." This assertion by the Office is incorrect. First, Maggioncalda discloses a User Interface for a Financial Advisory System, not a Personal Financial Management System. The user interface disclosed in the Financial Advisory System allows a user to input values representing risk, savings rate and retirement age using slider bars, and to view outputs

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comprising a forecast of success and a recommended set of financial investment products. There is no disclosure in the Financial Advisory System of a user interface for creating, manipulating and displaying objects of object-oriented software programs. Furthermore, while the passage cited by the Office (col 2 lines 32-34) merely states "A user interface for a financial advisory system is described", it does not disclose a user interface for manipulating and displaying objects of object-oriented software programs, and particularly account objects, category objects, transaction objects and template objects. In further rejecting claim 34, the Office asserts that Maggioncalda teaches (2) "a current activity tool comprising objects for entering data from current financial transactions for recording purposes (col 2 lines 36-41)..." The Office's analysis here is flawed. Applicant is unable to find any reference (actual, implied or inherent) to a current activity tool in the Maggioncalda disclosure, much less a disclosure of a current activity tool comprising objects for entering data from current financial transactions for recording purposes. The passage cited by the Office (col 2 lines 36-41) merely states that "a first and second visual indication are concurrently displayed" and that "The first visual indication includes input mechanisms for receiving input decisions and the second visual indication includes a set of output values that are based upon the input decisions and a recommended set of financial products." This element of claim 1 is nowhere to be found in the cited reference of Maggioncalda. In rejecting claim 34 further, the Office asserts that Maggioncalda teaches (3) "a planning analysis tool comprising objects for entering projected financial data for financial activity simulation (col 2 lines 47-col 3 line 2)..." This assertion by the Office is also incorrect. Applicant cannot find any disclosure (actual, implied or inherent) of a planning analysis tool in Maggioncalda, much less a disclosure of a planning analysis tool comprising objects for entering projected financial data for a financial activity

simulation. The passage cited by the Office (col 2 lines 47-col 3 line 2) merely states that "After updated values for the input decisions are received via the input mechanism, a new recommended set of financial products and a new set of output values may be determined based on the updated values" and provides a very general description of decisions relevant to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Being unable to find disclosure of any elements of claim 34 within this passage, Applicant requests that the Office explain how to interpret or transpose this cited passage as "a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation". In further rejecting claim 34, the office asserts that Maggioncalda teaches (4) "and a budgeting analysis tool comprising objects for comparing current financial data with projected financial data (col 2 lines 47 - col 3 lines 42)." Like the assertions by the Office discussed above, this assertion is also flawed. This passage cited by the Office is a very general description of decisions relevant to financial goals, investment risk, volatility, probability of achieving a financial goal, evaluation of the cumulative probability distribution, and recommended allocation of wealth among an available set of financial products. Applicant cannot find any disclosure in the cited Maggioncalda reference of a budgeting analysis tool, much less a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. It should also be noted that the amended element of claim 34 (once amended) includes "objects comprising account objects, transaction objects, category objects, and template objects." This element of claim 34 further distinguishes claim 34 from the disclosure of Maggioncalda, since none of these objects are disclosed in Maggioncalda.

The Office states that Maggioncalda does not specifically teach object oriented software, but that that the functionality employed by Maggioncalda accomplishes the same result as an object oriented system, and that it would have been obvious to one skilled in the art at the time of the invention to utilize software to accomplish recommending a set of financial products based upon inputted financial values. The Office claims that the motivation for this is to present simulations of projected financial data utilizing different financial products. The Office misunderstands Applicants invention. Applicant's specification neither describes nor claims a method or system for selecting or recommending a set of financial products. As described above and in Applicant's specification, claim 34 encompasses a personal financial management program with a graphical user interface and a set of software tools for entering data from current financial transactions, entering projected financial data, and comparing the current and projected over a time period to evaluate personal financial performance by evaluating cash flows resulting from transactions between accounts and categories. These features are not found in Grunbok or Maggioncalda and the present invention contains no disclosure for selecting financial investment products. Therefore, claim 34 as amended is nonobvious and patentable over Grunbok in view of Maggioncalda.

Regarding claim 36, since claim 36 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 36 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "comprising system interface objects to accept user preference defaults for use by the program tools."

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Regarding claim 38, since claim 38 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 38 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "a to-do list displayed in the current activity tool for enabling the planning analysis tool to prompt the user to implement projected financial activity."

Regarding claim 42, since claim 42 is dependent on claim 34, and claim 34 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda, claim 42 is also patentable and nonobvious over Grunbok in view of Maggioncalda. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Grunbok or Maggioncalda that could be interpreted as "wherein the planning analysis tool comprises a financial activity simulation of all objects created by the user, the simulation modeling all financial activity from the earliest past date to the latest future date entered."

In summary, the responses detailed above rebut the assertions by the Office of the obviousness of Applicant's invention, and substantiate the patentability and nonobviousness of claims 1, 9, 11-12, 15-18, 21, 23-24, 26-30, 34, 36, 38, and 42 as being patentable over Grunbok et al. in view of Maggioncalda et al.

Issue 2: **Whether Claims 3, 5-8, and 20 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Leon et al. (U.S. Patent No. 6,052,673) and further in view of Minton (U.S.**

Patent No. 6,014,643) and further in view of Grunbok (U.S. Patent No.

6,305,603).

The Office has failed to meet its burden of establishing a *prima facie* case of

obviousness under 35 U.S.C. 103 (a) with regard to the rejection of claims 3, 5-8, and 20 as

being anticipated by Maggioncalda et al. in view of Leon et al. and further in view of Minton

and further in view of Grunbok (U.S. Patent No. 6,305,603). The Office bears the initial

burden of establishing a *prima facie* case of obviousness. See *In re Piasecki*, 223 USPQ785,

788 (Fed. Cir. 1984). To establish a *prima facie* case of obviousness, three basic criteria must

be met. First, there must be some suggestion or motivation, either in the references themselves

or in the knowledge generally available to one of ordinary skill in the art, to modify the

references or to combine reference teachings. Second, there must be a reasonable expectation

of success. Finally, the prior art reference (or references when combined) must teach or

suggest all claim limitations. The teaching or suggestion to make the claimed combination

and the reasonable expectation of success must both be found in the prior art, and not based

on applicant's disclosure. *In re Vaeck*, 20 USPQ2d 1438 (Fed. Cir. 1991), MPEP §2142 and §

2143. It is shown below that the Office has not met these criteria for establishing a *prima*

facie case of obviousness because a suggestion to modify or combine the references has not

been cited, there is not an expectation of success if the references were modified or combined,

and even if they were modified or combined, they do not teach or suggest Applicant's

invention.

Maggioncalda teaches a method for allowing a user to explore how changes in one or

more input decisions affect one or more output values in a financial analysis system. The

method applies to interactively displaying a group of financial investment products selected

by the system, such as bond or stock funds, and a probability of reaching an investment goal

based on user input decision of risk, savings rate and retirement age. The system makes use of

probability distribution functions to predict the probability of a user obtaining the investment

goal by obtaining data from servers over a network. Maggioncalda's patent is only applicable

to selecting a group of investments based on user inputs of risk, savings rate and retirement

age. Leon discloses a commercial data processing service provider application for matching

inflation-adjusted deposit and loan accounts in one or more financial institutions to improve

the capital structure of the institutions. It is desirable to match loan accounts with deposit

accounts with similar intrinsic cash flow characteristics to maintain a positive cash flow

condition for the financial institutions. The invention also involves adjusting the amount of

loans and deposits for the rate of inflation, paying the deposit accounts, receiving repayment

of the loan accounts. Minton discloses a securities trading system that enables a first

individual to offer to sell securities over a public communications network connected to

servers, and enables a second individual to accept the offer, pay for the securities, and obtain

title to the securities. This invention enables individuals to buy and sell securities to other

individuals, and become market makers. The system requires a plurality of servers and a

public communications network. In contrast, and as claimed in Applicant's invention,

Applicant's method and program enable a user to record past and current transactions

involving cash flows between accounts and categories, such as between bank accounts and

clothing or utility category expenditures. Applicant's invention also enables a user to allocate

anticipated future expenditures, such as the purchase of a home or a new automobile, and

compare actual versus anticipated expenditures over time. Applicant's invention enables a

user to manage all personal financial transactions, not just provide an investment portfolio

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recommendation based on risk, savings rate and retirement age as in Maggioncalda. Unlike the invention of Maggioncalda and Minton, Applicant's invention is network and server independent. Neither Maggioncalda, Minton nor Leon disclose the capability of entering past financial transactions, such as found in a checkbook register, or budgeting for anticipated future expenditures over time. None of the cited references disclose use of object-oriented techniques, nor do they enable a user to define new accounts, categories, transactions, or templates. Grunbok teaches a method of accessing financial accounts at a financial institution using a PDA to update PDA information regarding the accounts and to perform financial transactions. The method also discloses the capability of communicating with a store computer, which in turn communicates with a financial institution computer for executing financial transactions. The method discloses use of a PDA as a "smart" portable computer for accessing financial account information and executing transactions with a store and financial institutions. Unlike Applicant's "stand-alone" program and method, the Grunbok method requires communication over a network with either a store computer or a financial institution computer. There is no disclosure in Grunbok of a personal financial management software program, as disclosed by Applicant.

First, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to point out any suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to arrive at Applicant's invention.

Second, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to show a reasonable expectation of success by modifying the reference or by combining the reference teachings. There is no expectation of success that the combination of Maggioncalda,

Leon, Minton or Grunbok are able to meet all the limitations disclosed in Applicant's invention. The disclosure of Maggioncalda, Minton and Grunbok, requiring networks and servers is not capable of satisfying the features and functions disclosed in Applicant's invention. Nor does the Leon disclosure of balancing variable interest rates between loans and deposits satisfying the features and functions disclosed in Applicant's invention.

Finally, with regard to the rejection of claims 3, 5-8, and 20, the Office has failed to cite references that teach or suggest all the claim limitations of Applicant's invention. Applicant has reviewed the Final Office action and the references cited therein, and has discussed each point within this response. The cited references of Maggioncalda, Leon, Minton and Grunbok neither teach nor suggest a personal financial management software program for recording, predicting, and comparing financial data. The references do not teach all the claim limitation of claims 3, 5-8, and 20, As just one example, nowhere does the cited references of Maggioncalda, Leon, Minton or Grunbok teach a current activity tool comprising objects for entering data from current financial transactions for recording purposes, a planning analysis tool comprising objects for entering projected financial data for a financial activity simulation, or a budgeting analysis tool comprising objects for comparing current financial data with projected financial data. The Applicant therefore believes that the Office has not established a *prima facie* case of obviousness. Despite Applicant's diligent prior response, the Office has failed to point out in the cited reference where the claim limitations discussed herein may be found. Therefore, all claims distinguish over the cited reference. All of the dependent claims incorporate the limitations of their respective independent claims and provide further unique and non-obvious recitations. These claims are

therefore patentable over the cited references for the reasons given in support of claims 1 and 18.

With respect to specific claims, independent claim 1 as amended teaches a personal financial management software program for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. Claim 2, which is dependent upon claim 1, further narrows claim 1 by specifying that each object is derived from an object class selected from the group consisting of an account class, a transaction class, a category class, and a template class. Claim 3, which depends upon claims 1 and 2, further narrows claim 2 by specifying that the account class comprises objects selected from the group consisting of bank account objects, credit account objects, investment account objects, loan account objects, and mortgage account objects. Claim 3 is dependent on claims 1 and 2, and Claim 1 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda. The Office has made no assertions that there are any disclosures in Leon and Minton, when combined with Maggioncalda and Grunbok that would invalidate any elements of claims 1 and 2. After a diligent review, Applicant has been unable to find any of the elements of claims 1 and 2 in any of the references cited by the Office. Therefore claims 1 and 2 are nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok.

Regarding claim 3, since claim 3 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 3 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the account class comprises objects selected from the group consisting of bank account objects, credit account objects, investment account objects, loan account objects, and mortgage account objects." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 5, since claim 5 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 5 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure

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in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the category class comprises an expense category class and an income category class." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 6, since claim 6 is dependent on claims 1, 2 and 5, and claims 1, 2 and 5 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 6 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the expense category class comprises objects selected from the group consisting of subsistence expense objects, health expense objects, recreation expense objects, transportation expense objects, tax objects, and luxury expense objects." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 7, since claim 7 is dependent on claims 1, 2 and 5, and claims 1, 2 and 5 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 7 is also

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nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the income category class comprises objects selected from the group consisting of investment income objects, retirement income objects, and labor income objects." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

Regarding claim 8, since claim 8 is dependent on claims 1 and 2, and claims 1 and 2 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 8 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "wherein the template class comprises objects selected from the group consisting of scheduled spending template objects, scheduled income template objects, and loan payment template objects." The Office is using impermissible hindsight in an attempt to justify the combination

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of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

With respect to claim 20, independent claim 18 as amended teaches a personal financial management software method for recording, predicting, and comparing financial data that includes a graphical user interface for manipulating and displaying objects of object-oriented software programs, a current activity tool for entering current financial transaction data, a planning analysis tool for entering projected financial transaction data, and a budgeting analysis tool for comparing past and current financial transaction with projected financial transaction data. These tools manipulate financial transaction data in account objects, transaction objects, category objects, and template objects. Claim 19, which is dependent upon claim 18, further narrows claim 18 by specifying that the objects belong to object classes comprising an account class, a transaction class, a category class, and a template class derived from a time/value class. Claim 20, which depends upon claims 18 and 19, further narrows claim 19 by specifying that the category class comprises an expense category class and an income category class. Claim 20 is dependent on claims 18 and 19, and claim 18 has been shown above to be patentable and nonobvious over Grunbok in view of Maggioncalda. The Office has made no assertions that there are any disclosures in Leon and Minton, when combined with Grunbok and Maggioncalda that would invalidate any elements of claims 18 and 19. After a diligent review, Applicant has been unable to find any of the elements of claims 18 and 19 in any of the references cited by the Office. Therefore claims 18 and 19 are nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok.

Regarding claim 20, since claim 20 is dependent on claims 18 and 19, and claims 18 and 19 have been shown above to be nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok, claim 20 is also nonobvious and patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok. The assertion by the Office that Leon teaches a personal financial management software program is incorrect. Leon teaches an investment management data processing system that is only useful for large financial institutions that have many variable interest-bearing deposit and loan accounts. Furthermore, Applicant cannot find any disclosure in the passages cited by the Office or anywhere else in Leon that could be interpreted as "the category class comprises an expense category class and an income category class." The Office is using impermissible hindsight in an attempt to justify the combination of the cited references. However, even if the references were combined in a manner suggested by the Office, the resultant combination would not equal Applicant's invention.

In summary, the responses detailed above rebut the assertions by the Office of the obviousness of Applicant's invention, and substantiate the patentability and nonobviousness of claims 3, 5-8, and 20 as being patentable over Maggioncalda in view of Leon and further in view of Minton and further in view of Grunbok.

Issue 3: Whether Claims 2, 4, 10, 13-14, 19, 22, 25, 31-33, 35, 37 and 39-41 are obvious under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 5,918,217) in view of Minton (U.S. Patent No. 6,014,643).
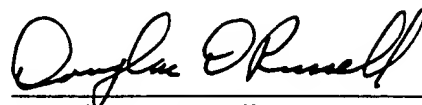
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This section in incorporated by reference from Applicant's Appeal Brief filed on February 22, 2002.

SUMMARY

For the reasons set forth above, Applicant respectfully submits that each claim is patentable. Therefore, reversal of all rejections is requested.

Respectfully Submitted,

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Date

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APPENDIX A

CLAIMS INVOLVED IN THE APPEAL

This section in incorporated by reference from Applicant's Appeal Brief filed on

February 22, 2002.

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